



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,237	09/27/2001	Russell Miller	GSH 08-889792	2470
27667	7590	10/19/2005	EXAMINER	
HAYES, SOLOWAY P.C. 3450 E. SUNRISE DRIVE, SUITE 140 TUCSON, AZ 85718			TRAN, TAM D	
			ART UNIT	PAPER NUMBER
			2676	

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/965,237

Applicant(s)

MILLER ET AL.

Examiner

Tam D. Tran

Art Unit

2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1- 11, 13-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1- 11, 13-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1- 11, 13-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Munson et al. (USPN 6741262 B1), hereinafter simply Munson.

In regard to claim 1, Munson teaches a colour management user interface controller (color management setting interface) for use in a colour management system for assisting users to manage colour settings of multiple colour entities (printing device and peripheral devices), see Fig.1, Fig.2, Fig.3, col.3 lines 10-30, the user interface controller comprising: a representation controller (user interface) for presenting to a user representations, each representing each of multiple colour entities (peripheral devices); and a relation indicator controller (graphical representation of a color workflow as it occurs at the printing device) for presenting one or more relation indicators indicating colour relation between the multiple colour entities (relation between user device and printing device) represented by the representations. See Fig.4, col.3 lines 55-65.

2. In regard to claims 2, 14, 23, 28, 33, Munson teaches a colour management user interface controller for use in a colour management system for assisting users to manage colour settings of multiple colour entities, wherein the relation indicator controller has a function to allow the user to select a relation indicator to manage the colour relation between colour entities that correspond to the relation indicator. See Fig.4, col.3 lines 55-60.

3. In regard to claims 3, 15, 24, 29, 34, Munson teaches a colour management user interface controller for use in a colour management system for assisting users to manage colour settings of multiple colour entities, wherein the relation indicator controller has a function to change the appearance of a relation indicator when the relation indicator is selected by the user (thumbnail image provide a preview of the output). See Fig.4, col.3 lines 29-35.

4. In regard to claims 4, 16, Munson teaches a colour management user interface controller for use in a colour management system for assisting users to manage colour settings of multiple colour entities, wherein the relation indicator controller presents the relation indicators as arrow buttons, each arrow button representing a direction of use of colour settings of a corresponding colour entity. See Fig.4 col.5 lines 45-61.

5. In regard to claims 5, 17, Munson teaches a colour management user interface controller for use in a colour management system for assisting users to manage colour settings of multiple colour entities, wherein the relation indicator controller presents colour relation indicators which are available for user's selection. See Fig.4, col.3 lines 55-60.

6. In regard to claims 6, 18, Munson teaches a colour management user interface controller for use in a colour management system for assisting users to manage colour settings of multiple colour entities, wherein the relation indicator controller has a function to generate, in accordance

Art Unit: 2676

with the selected relation indicator, colour matching (color mapping) data indicating a colour entity whose colour settings is used for colour matching (color mapping). See col.3 lines 55-60

7. In regard to claims 7, 19, 25, 30, 35, Munson teaches a colour management user interface controller for use in a colour management system for assisting users to manage colour settings of multiple colour entities, wherein the representation controller has a function to associate the representation of each colour entity with a colour profile (output profile) of the colour entity. See col.5 lines 60-65.

8. In regard to claims 8, 20, Munson teaches a colour management user interface controller for use in a colour management system for assisting users to manage colour settings of multiple colour entities, wherein the colour management system has a colour profile storage storing colour profiles of the colour entities, and the representation controller has a function to obtain the colour profile of each colour entity from the colour profile storage. See col.5 lines 51-64.

9. In regard to claim 9, Munson teaches a colour management user interface controller for use in a colour management system for assisting users to manage colour settings of multiple colour entities, wherein the representation controller has a function to present the colour profile of the colour entities. See col.5 lines 51-64.

10. In regard to claims 10, 21, 26, 31, 36, Munson teaches a colour management user interface controller for use in a colour management system for assisting users to manage colour settings of multiple colour entities, wherein the representation controller presents the representation of a colour entity in multi levels (workflow including series of path corresponding to color models) such that standard settings are presented in a main level and detailed settings are presented in a secondary level. See Fig.4, col.3 lines 63-67.

In regard to claim 11, Munson teaches a colour management system for assisting users to manage colour settings of multiple colour entities, the colour management system comprising: a user interface controller (user interface) for presenting colour relation between the multiple colour entities in accordance with colour relation setting input by a user; See Fig.1, Fig.2, Fig.3, col.3 lines 10-30; a representation controller (user interface) for presenting to a user representations, each representing each of multiple colour entities (peripheral devices); and a relation indicator controller (graphical representation of a color workflow as it occurs at the printing device) for presenting one or more relation indicators indicating colour relation between the multiple colour entities (relation between user device and printing device) represented by the representations. See Fig.4, col.3 lines 55-65; and a colour settings manager (color management interface) for controlling colour settings of the colour entities in accordance with the colour relation setting input by the user (graphical representation of a color workflow as it occurs at the printing device). See Fig.4, col.3 lines 53-67.

11. In regard to claims 13, 22, 27, 32, Munson teaches a method for assisting colour management of multiple colour entities, the method comprising steps of: presenting to the user representations, each representing each of the multiple colour entities (thumbnail image associated with each path to provide a preview of the output); see col.5 lines 29-36; and presenting one or more relation indicators indicating colour relation between the colour entities represented by the representations (graphical representation of a color workflow as it occurs at the printing device). See Fig.4, col.3 lines 53-67.

### ***Response to Arguments***

12. Applicant's arguments filed on 6/27/2005, have been fully considered but they are not persuasive.

Applicant argues that the prior art does not teach "color management for multiple devices" However, examiner respectfully disagrees with the argument because claim invention claiming "one or (more) relation indicator indicating colour relation between multiple colour entities" which corresponds to color management for two color entities (devices) if there is only two devices. In Fig.4, col.3 lines 55- col.4 line 23, Munson teaches relation indicator (directional arrow 57) relating color management between a source and a printer. Source and printer represent for two entities. For these reasons, the rejections are maintained.

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Conclusion***

Art Unit: 2676

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tam D. Tran** whose telephone number is **571-272-7793**. The examiner can normally be reached on MON-FRI from 8:30 – 5:30.

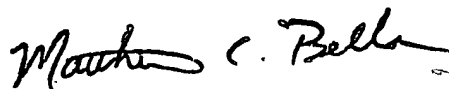
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Matthew Bella** can be reached on **571-272-7778**. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tam Tran

*TT*  
Examiner

Art unit 2676



MATTHEW C. BELLA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600